



2FW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

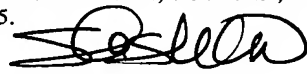
In re application of:)
Katrina A. Mikhaylich, et al.)
Application No. 10/749,983)
Filed: December 30, 2003)
For: END-POINT DETECTION APPARATUS)

) Docket No. LAM2P189C
) Examiner: Rose, Robert A.
) Group Art Unit: 3723
) Date: August 17, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on August 17, 2005.

Signed: _____


Sylvia Castillo

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321
TO OBVIATE AN OBVIOUSNESS-TYPE
DOUBLE PATENTING REJECTION

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The owner(s), Lam Research Corporation, of the entire interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of prior United States Patent No. 6,375,540 (hereafter "prior patent"), as presently shortened by any terminal disclaimer. The owner(s) hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

08/23/2005 NNGUYEN1 00000089 10749983

01 FC:1814


130.00 OP

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued or is in any matter terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an agent or attorney of record.

Enclosed is our Check No. 14736 in the amount of \$130.00 to cover the disclaimer fee. If the required fees are not enclosed or additional fees are required to facilitate filing of this paper, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. LAM2P189C).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Albert S. Penilla, Esq.
Reg. No. 39,487

Date: August 17, 2005

MARTINE PENILLA & GENCARELLA, LLP
710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Tel. (408) 749-6900
Fax: (408) 749-6901
Customer No. 25920